

June 27, 2016
Springfield, Missouri

The City Council met in regular session June 27, 2016 in the Council Chambers at Historic City Hall. The meeting was called to order by Mayor Bob Stephens. A moment of silence was observed.

Roll Call

Present: Craig Fishel, Ken McClure, Jan Fisk, Craig Hosmer, Kristi Fulnecky, Phyllis Ferguson, Mike Schilling, Justin Burnett and Bob Stephens. Absent: None.

Minutes

There being no additions, deletions or corrections, the minutes of June 13, 2016 were approved as presented.

Consent Agenda

The Consent Agenda was finalized and approved as presented. Anita Cotter, City Clerk, informed Council she had received a request to remove Council Bill 2016-154 from Consent Agenda First Reading Bills to be read as First Reading Bills. Ms. Cotter informed Council she had received a request to remove Council Bill 2016-156 from the agenda for further review.

CEREMONIAL MATTERS

City Managers report and responses to questions raised at the previous City Council meeting:

Greg Burris, City Manager, stated the June 28, 2016 Council Lunch has been canceled. Paul Williams, Police Chief, provided the monthly sworn staffing figures and the monthly and year-to-date Uniform Crime Report. Mr. Burris noted crime during the month of May was essentially flat compared to last year. Mr. Burris congratulated Corporal Welsh, City of Springfield, on his recent award from the Southwest Missouri National Alliance on Mental Illness as its first Crisis Intervention Team Officer of the Year. Mr. Burris asked everyone to welcome new City Attorney, Frank Romines, to the City of Springfield. Mr. Burris stated Tim Smith, Deputy City Manager, will update Council about the special event ordinance later on the agenda.

Steve Meyer, Director of Environmental Resources, greeted the Council and recognized City Staff on their achievements. Ronnie Box, Environmental Services, was presented the award for the Quarter Century Operator Award. Kevin Cline, Environmental Services, was awarded the Laboratory Excellence Award. Bruce Hinkston, Environmental Services, was awarded the Operator of the Year Award.

Councilman Schilling asked for an update on the foot bridge on Commercial Street. Mr. Burris responded it is anticipated it will remain closed for a while longer. Dan Smith, Director of Public Works, stated the initial inspection is expected to be finished by the end of the week.

Councilman Schilling asked if the issue is on the North Side of the bridge, and if so, could the South Side could be opened during construction. Dan Smith responded the issues are on the North side, however, under more inspection, there are other issue areas to be addressed before it can be reopened safely.

The following bills appeared on the agenda under Second Reading Bills:

**Rezoning 608 and 614
West Mt. Vernon**

Sponsor: Schilling. Amended Council Bill 2016-034. A general ordinance amending the Springfield Land Development Code, Section 36-306, Zoning Maps, by rezoning approximately 0.4077 acres of property, generally located at 608 and 614 West Mount Vernon Street, from R-SF, Single-Family Residential District, to R-LD, Low-Density Multi-Family Residential District; establishing Conditional Overlay District No. 103; and adopting an updated Official Zoning Map. (Staff, and Planning and Zoning Commission recommend approval.) (By: Mount Vernon 608, LLC; 608 and 614 West Mount Vernon Street; Z-39-2015 & Conditional Overlay District No. 103.

Councilman Schilling stated he would like to see the inner-city occupants continue to be single-family status. Mr. Schilling noted, as he understands, two single-family structures will be built on a single-family property and showed gratitude for everyone's work on the proposed.

Councilwoman Ferguson thanked everyone in the West Central Neighborhood for their cooperation and expressed her appreciation for everyone's hard work on the proposed.

Councilwoman Fulnecky stated she supported Councilman Schilling's recent amendment and noted it is a good compromise as the proposed is already in existence, while retaining the character of the neighborhood.

Amended Council Bill 2016-034. General Ordinance 6286 was approved by the following vote: Ayes: Fishel, McClure, Fisk, Hosmer, Fulnecky, Ferguson, Schilling, Burnett and Stephens. Nays: Hosmer. Absent: None. Abstain: None.

Blaine Street Frontage

Sponsor: McClure. Council Bill 2016-059. A general ordinance amending Chapter 36 of the Springfield City Code, known as the Land Development Code, Article III, Division IV, Subdivision III, Section 36-425(7), Design Requirements, of the COM, Commercial Street District in the Zoning Ordinance to clarify Blaine Street Frontage and new construction requirements.

Councilwoman Ferguson moved to amend Council Bill 2016-059 by deleting the phrase "this does not include Blaine Street Frontage," found on lines 64, and 73 through 74, and also deleting the phrase "of any new construction," found on line 71." Mayor Pro Tem McClure seconded the motion.

Mayor Stephens asked Councilwoman Ferguson to explain the amendment.

Councilwoman Ferguson stated Blaine Street has been considered an alley for many years and as Commercial Street continues to grow the use of this street becomes more frequent both commercially and residentially. Ms. Ferguson noted by removing the phrasing "this does not include Blaine Street Frontage"; the proposed changes Blaine Street to function like any other street, such as Commercial Street.

Councilman Hosmer asked if the exception was in the original ordinance. Councilwoman Ferguson responded in the affirmative.

Council Bill 2016-059 was amended by the following vote: Ayes: Fishel, McClure, Fisk, Hosmer, Fulnecky, Ferguson, Schilling, Burnett and Stephens. Nays: None. Absent: None. Abstain: None.

**Authorizing the
Issuance of Conditional
Use Permit No.422 at
1755 South National
Avenue**

Sponsor: Fishel. Council Bill 2016-120. A special ordinance authorizing the issuance of Conditional Use Permit No. 422 to allow a bed and breakfast within an R-SF, Residential Single-family District, generally located at 1755 South National Avenue. (The Planning and Zoning Commission recommend denial, Staff recommends approval.)

Councilwoman Fulnecky asked if three of the four corners of the intersection are commercial and would the proposed change the zoning. Brendan Griesemer, Planning and Zoning, responded in the affirmative and stated the proposed would not change the zoning.

Councilwoman Fulnecky asked if a large sign would be permitted at this residence. Mr. Griesemer responded signage would be allowed, but the existing structure must retain its residential structure.

Mayor Pro Tem McClure stated he would vote in opposition of the proposed. Mr. McClure expressed his belief the proposed is in a poor location for the proposed use and is concerned the property may not continue to be used as a single-family residence.

Councilman Fishel stated he agrees with Mayor Pro Tem McClure and expressed his concern for traffic at this location.

Councilman Burnett stated he agrees with Mayor Pro Tem McClure and Councilman Fishel. Mr. Burnett noted his appreciation for the applicant's intentions and encouraged them to look at other locations for this endeavor.

Councilwoman Ferguson expressed her concern for the safety of tenants leaving the residence on the busy intersection of Sunshine and National. Ms. Ferguson commended the neighborhood for working together on the proposed.

Mayor Stephens expressed his concern for the safety of visitors at the proposed location when leaving the property. Mr. Stephens expressed his belief this is a service that needs to be provided and encouraged the applicants to look for a more optimal location.

Council Bill 2016-120 failed by the following vote: Ayes: None. Nays: Fishel, McClure, Fisk, Hosmer, Fulnecky, Ferguson, Schilling, Burnett and Stephens. Absent: None. Abstain: None.

**Approving First
Amendment Sections
3.05 and 3.08 of The
Collective Bargaining
Agreement**

Sponsor: Fishel. Council Bill 2016-136. A special ordinance approving the First Amendment to Sections 3.05 and 3.08 of The Collective Bargaining Agreement Between The City of Springfield, Missouri and Southern Missouri Professional Fire Fighters Local 152 (a/k/a, The International Association of Fire Fighters Local 152) (the "First Amendment"), in conjunction with amending Chapter 2, Administration, Article VI, Finances, Division 4, Policemen's and Firemen's Pension Plan, for the fire participants, pursuant to the ordinance adopted by Council Bill 2016-137, by authorizing the City Manager, or his designee, to

acknowledge and deliver the First Amendment on behalf of the City of Springfield, Missouri, to the Bargaining Unit; and declaring an emergency.

Mayor Pro Tem McClure stated this is a good example of our collective bargaining process and he is pleased to support the proposed.

Councilwoman Fulnecky expressed her concern the pension fund needs fine tuning and stated she supports the proposed.

Council Bill 2016-136. Special Ordinance 26756 was approved by the following vote: Ayes: Fishel, McClure, Fisk, Hosmer, Fulnecky, Ferguson, Schilling, Burnett and Stephens. Nays: None. Absent: None. Abstain: None.

**Amending Springfield
City Code, Chapter 2,
Administration**

Sponsor: Fisk. Council Bill 2016-137. A general ordinance amending the Springfield City Code, Chapter 2, Administration, Article VI, Finances, Division 4, Policemen's and Firemen's Pension Plan, by amending the title of Division 4 from "Policemen's and Firemen's Pension Plan" to "Police Officers' and Fire Fighters' Retirement System," and by amending Section 2-455, Amount of employee contributions; deductions from salary, of the Springfield City Code, by revising provisions regarding Fire Participants' Additional Funding Contribution (AFC) and Additional Three-Tenths Percent Multiplier in The Police Officers' and Fire Fighters' Retirement Fund; and declaring an emergency.

Council Bill 2016-137. General Ordinance 6287 was approved by the following vote: Ayes: Fishel, McClure, Fisk, Hosmer, Fulnecky, Ferguson, Schilling, Burnett and Stephens. Nays: None. Absent: None. Abstain: None.

**Amending Chapter 2,
Section 2-92 of
Springfield City Code**

Sponsor: Schilling. Council Bill 2016-138. A general ordinance amending Chapter 2, Section 2-92 of the Springfield City Code, known as the Salary Ordinance relating to salary grades for various job titles within the City service as contained in the Professional, Administrative and Technical (PAT) Schedule, the Crafts, Trade and Labor (CTL) Schedule, the Fire Protection Schedule (FPS), and the Law Enforcement Schedule (LES) by making provision for seven (7) new job titles and deleting four (4) existing job titles; by providing pay adjustments for employees on the PAT, CTL, FPS, and LES pay schedules; by freezing the annual base pay rates for Salary Grades One (1) and Two (2) in the CTL pay schedule; by increasing the annual base rate for the top steps in the CTL pay schedule by \$150.00 annually; by deleting the eligibility for educational allowance for Salary Grades Eleven (11) through Thirteen (13) contained in the LES pay schedule; by approving a Memorandum of Understanding between the City and the City Manager; and declaring an emergency.

Councilman Schilling asked if the Director of Human Resources could speak to the proposed. Sheila Maerz, Director of Human Resources, provided an overview of the proposed. She noted section two pertains to the Professional, Administrative and Technical (PAT) schedule. Ms. Maerz stated for employees on the PAT pay schedule the 3.5 percent is used to fund merit steps and a 2.14 percent across-the-board pay increase. She noted section three pertains to the Crafts, Trade and Labor (CTL) scheduled. Ms. Maerz stated for these employees, the 3.5 percent is used to fund merit steps and a 2.14 percent across-the-board pay increase. She noted CTL merit steps are less in cost; therefore additional changes were made within the 3.5 percent. Ms. Maerz stated these additional

changes include eliminating steps one and two for the hiring range and providing \$150 to their total compensation for the top steps. She noted the Fire Protection Schedule (FPS) is for the individuals not covered by collective bargaining with the IAFF. Ms. Maerz stated these employees will receive the one-half of one percent increase. Ms. Maerz further stated the FPS pay increase shadows what was agreed upon under collective bargaining with the IAFF. She noted the Law Enforcement Schedule (LES) is implementing the pay raise recommended by the arbitrator. Ms. Maerz stated the original recommendation contained 3.5 percent funding for merit steps and a 1.5 percent across-the-board pay increase. She noted the 3.5 percent compensation pool allowed for a larger across-the-board pay increase or 2.14 percent.

Councilman Schilling asked for a comparison to previous years. Sheila Maerz responded a 3.5 percent compensation pool on average would produce a three percent pay increase. She noted during the recession pay increases were less and increases have been as high as four percent.

Councilman Hosmer asked for clarification on the \$150 going only to the top steps. Sheila Maerz responded when pay comparisons are made with other cities, they compare only the top steps. She noted the CTL schedule contains numerous employees who are topped out, therefore the goal was to use all of the 3.5 percent to fund the 2.14 percent across-the-board pay increase and compress pay steps and push employees into the next higher step. Ms. Maerz stated the \$150 being added to the top steps is the amount of money remaining. Mr. Hosmer expressed his opinion the \$150 should be given to the lowest paid employees. Ms. Maerz responded by freezing steps one and two, employees will be moved to the next higher step beginning July 24, 2016 and for employees going from step one to step two will receive a pay increase ranging from 4 percent to 4.5 percent and employees going from step one to step three will receive an increase ranging from 8.5 percent to 10 percent.

Mayor Stephens asked if the issue is dealing with a compression of the pay scale over a period of years and the need to correct this by spreading out the steps to give employees an incentive to work towards a higher step. Sheila Maerz responded in the affirmative, and stated the other issue is preparation for collective bargaining with the International Brotherhood of Electrical Workers (IBEW). She noted the goal is to decrease the cost of merit steps and allow employees to receive the majority of future compensation pool increases. Ms. Maerz expressed her opinion the IBEW may want to reduce the total number of steps to two or three over a period of years.

Councilman Hosmer asked how many employees would be included on those pay steps. Sheila Maerz responded approximately 225 employees with 45-55 percent being in the top merit steps.

Council Bill 2016-138. General Ordinance 6288 was approved by the following vote: Ayes: Fishel, McClure, Fisk, Hosmer, Fulnecky, Ferguson, Schilling, Burnett and Stephens. Nays: None. Absent: None. Abstain: None.

Authorizing City Manager to Enter into On-System Bridge Program Agreement

Sponsor: Schilling. Council Bill 2016-139. A special ordinance authorizing the City Manager, or his designee, to enter into an On-System Bridge Program Agreement with the Missouri Highways and Transportation Commission for the purpose of funding the Mt. Vernon Street Bridge over Jordan Creek project; and amending the Fiscal Year 2015-2016 budget of the Department of Public Works in the amount of \$982,905.

Councilman Schilling stated it is a worthy project.

Council Bill 2016-139. Special Ordinance 26757 was approved by the following vote: Ayes: Fishel, McClure, Fisk, Hosmer, Fulnecky, Ferguson, Schilling, Burnett and Stephens. Nays: None. Absent: None. Abstain: None.

Amending Sections of Springfield City Code, Chapter 26, Article III

Sponsor: Ferguson. Council Bill 2016-142. A general ordinance amending various sections of Springfield City Code, Chapter 26, Article III, Dangerous Blighted and Nuisance Building Code, in order to improve enforceability, expand abatement-order authority, and improve the city's cost recovery by clarifying the language of special tax bills and special assessments.

Council Bill 2016-142. General Ordinance 6289 was approved by the following vote: Ayes: Fishel, McClure, Fisk, Hosmer, Fulnecky, Ferguson, Schilling, Burnett and Stephens. Nays: None. Absent: None. Abstain: None.

RESOLUTIONS.

Authorizing Mayor Stephens and Councilmembers Fisk and Ferguson to Visit Sister City Isesaki, Japan

Sponsor: Council. Council Bill 2016-159. A resolution authorizing Mayor Bob Stephens and Councilmembers Jan Fisk and Phyllis Ferguson, on behalf of the City of Springfield, to visit our Sister City of Isesaki, Japan in October 2016, to participate in the Thirtieth Anniversary Celebration and to reiterate the City of Springfield's Sister City relationship.

Greg Burris, City Manager, spoke on the proposed. Mr. Burris stated having Council Members and the Mayor at these events plays an important role in maintaining relationships with our sister cities. Mr. Burris noted Isesaki, Japan has supported the City during the ice storms while the City of Springfield supported Isesaki after the earthquakes and tsunamis. Mr. Burris thanked all the members of the Sister City Board who provide these opportunities. Mr. Burris noted two members are paying half of their cost personally.

Councilwoman Fulnecky asked if the council had voted previously to send only one member of City Council. Greg Burris, City Manager, responded he does not have that information. Ms. Fulnecky expressed her concern for sending more than one council member due to cost as she had requested an amendment to add tasers to the budget for Firefighters and was informed there was no funds available in the budget. Mr. Burris responded Chief Hall, Springfield Fire Department, was able to purchase tasers out of the existing budget.

Councilwoman Fulnecky asked for the full cost of each council member to visit Japan. Anita Cotter, City Clerk, responded the amount of the flight is listed in the bill and lodging is \$150 each night. Ms. Fulnecky stated she has no issue with sending a representative but expressed her belief that only one should be sent.

Councilwoman Fulnecky asked where the funding for the trip comes from. Mr. Burris responded from the City Council travel budget.

Councilwoman Ferguson stated she will be staying with a resident of Isesaki so no housing costs will be incurred. Ms. Ferguson noted besides half the cost of the flight, any additional costs she will pay for personally.

Councilman Fishel stated the Council needs to be represented and expressed his belief the two additional members attending were appropriate selections.

Councilwoman Fisk stated she will also be staying with residents of Isesaki, and will pay for her personal travel expenses. She noted the airfare is \$1,200 and she will pay half or \$600 and the City will pay the other half.

An opportunity was given for citizens to express their views.

Tim Havens spoke in favor of the proposed. Mr. Havens expressed his appreciation for the proposed and expressed his concern for the City of Springfield fully funding only the Mayor instead of all the Council Members in attendance.

Councilwoman Fulnecky asked how much the trip cost in previous years. Mr. Burris responded it depends on how early the ticket is purchased as the ticket makes up the majority of the cost.

Councilwoman Fulnecky asked how it was decided which members were able to attend. Mayor Stephens responded the Sister City Board of Directors asked the members to attend the trip.

Councilman Burnett expressed his opinion when you visit another community you bring home new ideas and broaden your perspective. Mr. Burnett noted he is in favor of the proposed.

Mayor Stephens noted when he visits Japan he will stay with the same family he has stayed with every time he visits Isesaki. Mr. Stephens noted the City of Springfield is very invested in maintaining our relationship with our sister cities and expressed his appreciation noting this is the first time more than one member will be there to represent the City of Springfield.

Councilwoman Ferguson asked if the members visiting Japan should leave the room. Marianne Banks, Interim City Attorney responded in the negative.

With no further appearances, the discussion was closed.

Council Bill 2016-159. Resolution 10273 was approved by the following vote: Ayes: Fishel, McClure, Fisk, Ferguson, Schilling, Burnett and Stephens. Nays: Hosmer, Fulnecky. Absent: None. Abstain: None.

EMERGENCY BILLS.

**Amending Springfield
City Code, Section 2-
504(b)(14) to Limit
Insurance
Requirements for
Special Events**

Sponsor: Hosmer. Council Bill 2016-147. A general ordinance amending the Springfield City Code, Section 2-504(b)(14) to limit the insurance requirements for special events held on public property to \$1,000,000.00; including a severability clause, savings clause, and declaring an emergency.

Tim Smith, Deputy City Manager, spoke on the proposed. Mr. Smith stated the proposed would authorize the City to continue to use the \$1,000,000 liability insurance requirement. Mr. Smith noted the original ordinance recommended \$3,000,000.

Councilman Hosmer asked if the liquor liability is included in the proposed. Marianne Banks, Interim City Attorney responded in the negative. Ms. Banks stated the liquor liability insurance is a separate policy. Mr. Hosmer expressed his belief the liability would be greater if alcohol is served and stated with the addition of liquor liability, the insurance liability should be \$2,000,000.

Mayor Stephens asked Councilman Hosmer to make a motion. Councilman Hosmer made a motion to increase the liability to \$2,000,000. The motion failed due to lack of a second.

Mayor Stephens asked Councilman Hosmer to hold his questions and consider referring the issue to the Plans and Policies Committee for further review.

Councilwoman Fulnecky asked why the proposed is declared an emergency. Marianne Banks responded it was due to the current administrative delay on insurance requirements.

Councilwoman Fulnecky asked if the general public approved of the proposed. Tim Smith, Assistant City Manager, responded in the affirmative.

Mayor Pro Tem McClure moved to extend the administrative delay to August 31, 2016. Councilwoman Ferguson seconded the motion.

Councilman Fishel asked if the additional \$2,000,000 will be covered under the City's insurance policy. Tim Smith responded in the negative, stating there is a gap in the City's sovereign immunity that the City will be financially responsible for. Mr. Smith stated the City is not automatically covered up to the sovereign immunity limit. Marianne Banks, Interim City Attorney, stated the current sovereign immunity limit is \$2,734,567 and this limit changes annually. Mr. Fishel asked for clarification on the City being responsible for the first \$250,000 before insurance coverage is available and how it relates to the proposed. Greg Burris, City Manager, responded in order to keep costs down, event organizers want to have the least amount of insurance coverage possible. He stated the \$250,000 is, in essence, a deductible the City is for paying before the insurance policy will pay.

Councilwoman Ferguson stated her appreciation for the proposed with the upcoming Fourth of July celebration. Ms. Ferguson asked if it is \$2,000,000 total liability including a liquor liability if there was an event that included liquor. Mr. Smith responded he would not categorize the \$1 million insurance and the \$1 million liquor liability as a combined sum.

Councilwoman Ferguson asked if there was a City event that included liquor, in the event of a lawsuit, could the applicant pursue the \$2,000,000 insurance liability. Marianne Banks responded in the affirmative.

Councilman Schilling asked what the premium cost is. Tim Smith, Assistant City Manager, responded he believed it was \$200.

Councilman Hosmer expressed his concern for the City and Event Organizer being liable for a lawsuit over \$1 million.

The motion to extend administrative delay was approved by the following vote: Ayes: Fishel, McClure, Fisk, Hosmer, Fulnecky, Ferguson, Schilling, and Burnett. Nays: Stephens. Absent: None. Abstain: None.

Mayor Stephens asked if there will still be coverage while the bill is being extended on administrative delay. Mr. Burris responded the amount will remain at the current \$1 million limit until August 31, 2016.

Anita Cotter, City Clerk, asked Marianne Banks if Council should table the proposed. Ms. Banks responded in the affirmative and stated the administrative delay was originally a resolution and staff would need another resolution to formally extend the administrative delay. Mayor Stephens asked if the City will continue to function with the \$1,000,000 requirement. Ms. Banks responded in the affirmative.

Mayor Pro Tem McClure moved to table Council Bill 2016-147. The motion was seconded by Councilwoman Ferguson.

Council Bill 2016-147 was tabled by the following vote: Ayes: Fishel, McClure, Fisk, Hosmer, Fulnecky, Ferguson, Schilling, Burnett and Stephens. Nays: None. Absent: None. Abstain: None.

PUBLIC IMPROVEMENTS.

GRANTS.

AMENDED BILLS.

COUNCIL BILLS FOR PUBLIC HEARING.

Approving Mapping of East West Arterial, Riverbluff Boulevard to Kissick Avenue

Sponsor: Schilling. Council Bill 2016-148. A special ordinance approving the mapping of the East West Arterial, generally located between US Highway 65 and Riverbluff Boulevard to Kissick Avenue, pursuant to Section 11.10 of the City Charter of the City of Springfield, Missouri in order to preserve right-of-way for future public street improvements for five years. (Planning and Zoning Commission and Staff recommend approval.)

Brendan Griesemer, Planning and Development Manager, spoke on the proposed. Mr. Griesemer stated this item was remanded to Planning and Zoning for clarification. Mr. Griesemer noted on the map where the mapping would occur.

Councilman Fishel asked what will happen to the property line to the West in the

future. Mr. Griesemer responded the specific line is not included on this mapping.

Councilwoman Fulnecky asked how far West is included in the mapping. Mr. Griesemer responded it ends past Evans Road.

Councilwoman Fulnecky asked if there are currently homes in the area. Mr. Griesemer responded in the affirmative.

An opportunity was given for citizens to express their views. With no appearances, the public hearing was closed.

**Amending the Historic
Patterson House
Redevelopment Plan**

Sponsor: Fishel. Council Bill 2016-149. A special ordinance amending the Historic Patterson House Redevelopment Plan and declaring its redevelopment necessary for the preservation of the public peace, prosperity, health, safety, morals, and welfare. (Planning and Zoning Commission, the Land Clearance for Redevelopment Authority and Staff recommend approval.)

Sarah Kerner, Interim Director of Economic Development, spoke on the proposed. Ms. Kerner stated the proposed is occupied by a multi-family structure and is considered a local historic site. Ms. Kerner noted in 2015 the proposed was declared a blighted structure. Ms. Kerner stated the proposed conforms to the Springfield-Greene County Comprehensive Plan and proposes to rehabilitate the Patterson House as a 10-unit, multi-family residential apartment with the option to be converted to a bed and breakfast in the future.

Councilman Hosmer stated he believes preserving the historic structure is an appropriate use for blighting and promotes good use of this building.

Councilwoman Ferguson stated one of the original uses of this building was an apartment and the midtown neighborhood supports the proposed.

An opportunity was given for citizens to express their views. With no appearances, the public hearing was closed.

**Amending Springfield
Land Development
Code, Section 36-306,
Zoning Maps, 1215 &
1225 North Benton
Avenue**

Sponsor: Ferguson. Council Bill 2016-150. A general ordinance amending the Springfield Land Development Code, Section 36-306, Zoning Maps, by rezoning approximately 0.89 acres of property, generally located at 1215 and 1225 North Benton Avenue, from a Planned Development No. 348 with the Mid-Town Urban Conservation District No. 3 Area E to a Planned Development District No. 348 Amendment 1 with the Mid-Town Urban Conservation District No. 3 Area E; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Mike and Hannah Textor; 1215 and 1225 North Benton Avenue; Planned Development 348 Amendment 1.)

Brendan Griesemer spoke on the proposed. Mr. Greisemeyer stated the proposed corresponds with Council Bill 2016-149. Mr. Griesemer noted the proposed adds multi-family uses to the existing planned development, Growth Management and Land Use Plan identifies the proposed appropriate for medium and high density housing uses, allows rehabilitation of previous structure and the proposed is consistent with the multi-family development location and design guidelines.

An opportunity was given for citizens to express their views.

Michael Textor spoke in favor of the proposed. Mr. Textor expressed his belief the proposed is the most practical use of the structure. Mr. Textor stated medium-density housing impacts parking significantly less and expressed his support of the proposed.

With no further appearances, the public hearing was closed.

**Amending the
Springfield Land
Development Code,
Section 36-306 Zoning
Maps, 2350 North
Clifton Avenue**

Sponsor: Fulnecky. Council Bill 2016-151. A general ordinance amending the Springfield Land Development Code, Section 36-306, Zoning Maps, by rezoning approximately 1.1 acres of property, generally located at 2350 North Clifton Avenue, from LI, Light Industrial District, to an IC, Industrial Commercial District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Springfield Mo. Association of Fire Fighters; 2350 North Clifton Avenue; Z-8-2016.)

Brendan Griesemer spoke on the proposed. Mr. Griesemer stated the proposed is identified as an appropriate area for low-density housing and the zoning is compatible and consistent with the surrounding development.

An opportunity was given for citizens to express their views. With no appearances, the public hearing was closed.

**Authorizing Issuance
of Conditional Use
Permit No. 424 at 2800
South Fort Avenue**

Sponsor: Schilling. Council Bill 2016-152. A special ordinance authorizing the issuance of Conditional Use Permit No. 424 to allow a nursing and retirement home within the R-MD, Medium-density Multi-family Residential District, generally located at 2800 South Fort Avenue. (Staff and Planning and Zoning Commission recommend approval.)

Brendan Griesemer spoke on the proposed. Mr. Griesemer stated the applicants are looking for a conditional use permit to expand the nursing home due to the structure being built prior to current Zoning ordinances.

Councilwoman Fulnecky asked the name of the retirement home. Mr. Griesemer responded he did not know the name of the retirement home.

Anita Cotter stated there were two speakers that had requested to speak to the proposed, but said the item was not on the agenda. Ms. Cotter requested public hearing be held over for the two scheduled speakers from this meeting. Mayor Stephens asked Council if it would be allowed and Council was in agreement.

An opportunity was given for citizens to express their views. With no appearances, the public hearing was closed.

The following bills appeared on the agenda under First Reading Bills:

**Approving the Plans
and Bid Specifications
of Landfill Drilling and
Piping Specialists, LLC**

Sponsor: Fulnecky. Council Bill 2016-153. A special ordinance approving the plans and bid specifications, and accepting the bid of Landfill Drilling and Piping Specialists, LLC in the amount of \$440,925.90 for installation of Phase V of the Gas Collection & Control System Expansion at the Springfield Sanitary Landfill; authorizing the City Manager, or his designee, to enter into a contract with such bidder; and approving a budget adjustment to amend the Fiscal Year 2016-2017

budget of the Environmental Services Department for the Solid Waste Fund in the amount of \$485,000 for construction of this project and reimbursement from City Utilities based on a previously approved Memorandum of Understanding #2005-0937.

Steve Meyers, Director of Environmental Resources, spoke on the proposed. Mr. Meyers stated the proposed is for the installation of Phase 5 of the Gas Collection and Control System Expansion at the Springfield Sanitary Landfill. Mr. Meyers noted the City of Springfield provides gas through its methane system, City Utilities will provide the generators that will be fueled by the gas, which, in turn, produces electricity that will power thousands of homes in Springfield.

Mayor Pro Tem McClure expressed his belief this was a great example of utilizing energy and expressed his appreciation of the Environmental Resources staff.

An opportunity was given for citizens to express their views. With no appearances, the discussion was closed.

**Moved from Consent
Agenda First Reading
Bills**

Sponsor: McClure. Council Bill 2016-154. A special ordinance authorizing the City Manager, or his designee, to enter into agreements with RSM US LLP, to provide professional auditing services to the City and to 'The Police Officers' and Fire Fighters' Retirement System for fiscal years 2016 through 2020.

Mary Mannix Decker, Director of Finance, spoke on the proposed. Ms. Decker stated a request for proposal for the services were recently sent out and two responses were received. Ms. Decker stated there is a memo pertaining to the criteria that can be handed out to members of Council.

Councilwoman Ferguson apologized for not reading all pages of the bill.

Mary Mannix Decker noted the criteria included demonstrated experience, overall responsiveness, ability of the proposer to perform the required services and the cost of the proposal.

Mayor Pro Tem McClure asked for the difference in cost. Ms. Decker responded in a total five-year period approximately \$23,400 and annually it is approximately \$4,000-\$5,000.

Mayor Pro Tem McClure moved to amend Council Bill 2016-154 by removing references to RSM US LLP and replacing with BKD, LLP, in lines 1-2 and line 11, and substituting new Exhibits 1 and 2, Auditor Agreements, in order to keep the business of auditing services local, for the benefit of the local economy, and to maintain continuity with BKD, LLP as the City's auditing firm, reducing the time needed for the auditing staff to perform its work. The motion was seconded by Councilman Hosmer.

Mayor Pro Tem McClure stated for many years, BKD has held the contract for the City's audit and expressed his belief BKD is an established and credible firm. Mr. McClure noted the importance of supporting local businesses and keeping the contract local.

Councilman Fishel asked if it would be appropriate to do the audit at the lowest

bid price. Mary Mannix Decker responded in the affirmative.

Councilman Hosmer stated he supports the amendment and expressed his belief the City of Springfield should look at giving local preference.

Councilwoman Fulnecky asked if Council is legally able to vote on the audit. Marianne Banks responded in the affirmative.

Councilman Schilling asked for clarification of the process on selecting the proposal. Marianne Banks stated it is the lowest and most qualified bidder.

Mayor Pro Tem McClure asked if it is typical to have a best and final offer on a proposal similar to the proposed. Ms. Decker responded in the affirmative.

Mayor Pro Tem McClure asked how often the City requests a final offer. Ms. Decker responded approximately 20 percent of the time.

Councilwoman Ferguson asked if it is possible to request both firms provide their best and final offer. Ms. Decker responded in the affirmative.

Councilwoman Fulnecky stated it is inappropriate to take the lowest bid and hopes that the bids are looked at objectively. Ms. Decker responded the bids were looked at objectively.

Councilman Hosmer asked if there is a time constraint in adopting the proposed. Ms. Decker responded the preliminary work starts at the end of July and the contract will need to be signed and ready to go by that point.

Councilman Hosmer requested to see how other cities respond to local preference.

Councilwoman Fulnecky asked if the bill would require local preference. Ms. Decker responded in the negative.

Councilwoman Ferguson asked Ms. Banks the probability of a lawsuit. Ms. Banks responded the bidders are aware the bids have to be voted on by Council.

Councilman Hosmer made a motion to table the proposed until July 11. The motion was seconded by Councilwoman Fulnecky.

Mayor Pro Tem McClure withdrew his motion in support of Councilman Hosmer's motion.

Council Bill 2016-154 was tabled by the following vote: Ayes: Burnett, Fulnecky, McClure, Ferguson, Schilling, and Fisk. Nays: Fishel and Stephens. Absent: None. Abstain: None.

Greg Burris asked Council for a decision no later than mid July.

Petitions, Remonstrances, and Communications.

The following items appeared under New Business:

Recommended	<p>The Mayor recommends the following appointment to the Land Clearance for Redevelopment Authority: Dr. Allen Grymes with term to expire March 1, 2019.</p> <p>As per RSMo. 109.230 (4), City records that are on file in the City Clerk's office and have met the retention schedule will be destroyed in compliance with the guidelines established by the Secretary of State's office.</p>
Referred to Plans and Policies	<p>Councilman Hosmer moved the contract for the audit services and the issue of local preference be referred to the Plans and Policies Committee. Councilman Burnett seconded the motion.</p> <p>The motion was approved by the following vote: Ayes: Fishel, McClure, Fisk, Hosmer, Fulnecky, Ferguson, Schilling, Burnett and Stephens. Nays: None. Absent: None. Abstain: None.</p>
Referred to Plans and Policies	<p>Councilman Hosmer moved the special events insurance liability issue be referred to the Plans and Policies Committee. Councilman Schilling seconded the motion.</p> <p>The motion was approved by the following vote: Ayes: Fishel, McClure, Fisk, Hosmer, Fulnecky, Ferguson, Schilling, Burnett and Stephens. Nays: None. Absent: None. Abstain: None.</p>
UNFINISHED BUSINESS.	
MISCELLANEOUS.	
The following bills appeared on the agenda under Consent Agenda First Reading Bills:	
Moved to First Reading Bills Item #29.5	Sponsor: McClure. Council Bill 2016-154. A special ordinance authorizing the City Manager, or his designee, to enter into agreements with RSM US LLP, to provide professional auditing services to the City and to 'The Police Officers' and Fire Fighters' Retirement System for fiscal years 2016 through 2020.
Approving the Plans and Specifications for Turner Street Drainage Improvements	Sponsor: Fisk. Council Bill 2016-155. A special ordinance approving the plans and specifications for the Turner Street Drainage Improvements from Lyon Avenue to Boonville Avenue Project, Plan No. 2014PW0029SWT, accepting the bid of Hartman and Company, Inc. for that project; and authorizing the City Manager, or his designee, to enter into a contract with such bidder.
Authorizing the Director of Planning and Development to Accept Dedication of 2638 North National Avenue	Sponsor: Burnett. Council Bill 2016-157. A special ordinance authorizing the Director of Planning and Development to accept the dedication of the public streets and easements to the City of Springfield, Missouri, as shown on the Preliminary Plat of Paragon Court generally located at 2638 North National Avenue, upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with the terms of this ordinance. (Staff recommends that City Council accept the public streets and easements.)
Approving the Sale of 711	Sponsor: Burnett. Council Bill 2016-158. A special ordinance approving the sale

East Jean Street

of real property at 711 East Jean Street to Barbara and Grant James for \$8,000 and authorizing the issuance of a deed for same.

The following bills appeared on the agenda under Consent Agenda One Reading Bills:

The following bills appeared on the agenda under Consent Agenda Second Reading Bills:

Approving Plans for Annual Maintenance Contract for Traffic Control Signals

Sponsor: Burnett. Council Bill 2016-140. A special ordinance authorizing the City Manager, or his designee, to enter into an agreement with the Springfield Convention and Visitors Bureau, Inc., that includes the Fiscal Year 2016-2017 budget and marketing plan to promote travel and tourism in the City.

Council Bill 2016-140. Special Ordinance 26758 was approved by the following vote: Ayes: Fishel, McClure, Fisk, Hosmer, Fulnecky, Ferguson, Schilling, Burnett and Stephens. Nays: None. Absent: None. Abstain: None.

Approving Plans for the Commercial Street Phase 5 Streetscape Project

Sponsor: Fulnecky. Council Bill 2016-141. A special ordinance authorizing the City Manager, or his designee, to enter into an agreement with the Greater Springfield Area Sports Commission, Inc. (Sports Commission), whereby the City will provide the Sports Commission with a share of the City's collection fees from the hotel/motel gross receipts tax to fund the Sports Commission's efforts to promote the hosting of national and regional sporting events to the City.

Council Bill 2016-141. Special Ordinance 26759 was approved by the following vote: Ayes: Fishel, McClure, Fisk, Hosmer, Fulnecky, Ferguson, Schilling, Burnett and Stephens. Nays: None. Absent: None. Abstain: None.

Approving the Plans for the Biosolids Treatment Improvements Project

Sponsor: Schilling. Council Bill 2016-143. A special ordinance approving the plans and specifications for the Bryant Street and Market Avenue project, Plan No. 2015PW0080SWTE; accepting the bid of Hunter Chase & Associates, Inc., for that project, and authorizing the City Manager, or his designee, to enter into a contract with such bidder.

Council Bill 2016-143. Special Ordinance 26760 was approved by the following vote: Ayes: Fishel, McClure, Fisk, Hosmer, Fulnecky, Ferguson, Schilling, Burnett and Stephens. Nays: None. Absent: None. Abstain: None.

Confirmed

Confirm the following reappointments to the Airport Board: Alison George and Colin Brady with terms to expire June 1, 2019.

Adjourn

With no further business to come before Council, the meeting adjourned at approximately 8:40 p.m.

Anita J. Cotter, CMC/MRCC
City Clerk

Prepared by Megan Cunningham